

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

SUMNER SQUARE

1615 M STREET, N.W.

SUITE 400

WASHINGTON, D.C. 20036-3215

—  
(202) 326-7900

FACSIMILE:

(202) 326-7999

July 20, 2020

*Via ECF*

The Honorable Sarah Netburn  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)*

Dear Judge Netburn:

I write on behalf of the Kingdom of Saudi Arabia (“Saudi Arabia”) to follow up on two issues discussed during the video teleconference held by the Court on May 21, 2020.

On that call, I offered to determine the exact date on which Ambassador Abdullah Al Awad retired from government service. I am informed that Ambassador Al Awad first retired on 1-7-1437 when he reached 60 years of age on the Hijri calendar, which uses a lunar year—slightly shorter than the Gregorian solar year. That Hijri date corresponds to April 9, 2016, on the Gregorian calendar. Ambassador Al Awad was then offered a contractual extension for three Hijri years, during which time he continued to serve as Saudi Arabia’s Ambassador to Chile. That contract extension ended on 1-7-1440, corresponding to March 8, 2019, and since that date Ambassador Al Awad has been fully retired.

As I explained during the hearing, when we responded to Plaintiffs’ witness list on February 3, 2020, as directed by the Court, we mistakenly listed Ambassador Al Awad as still an Ambassador. When our Saudi co-counsel noted that mistake, we informed Plaintiffs the very next day that Ambassador Al Awad had in fact retired. At the hearing, Plaintiffs suggested that Ambassador Al Awad might somehow have been pushed to retire after our February 3 letter and before the February 4 correction in order to make him unavailable as a witness. As the chronology above makes clear, that is not the case. Ambassador Al Awad in fact had fully retired 11 months earlier, and the date of that retirement had been fixed, three Hijri years before that, by the contract extension.

At the hearing, I also offered to undertake additional efforts to locate Faisal Al Muhanna. We have just recently located Mr. Al Muhanna. He currently serves as a member of the faculty at the King Fahad University of Petroleum and Minerals in Dhahran, Saudi Arabia. Mr. Al

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

The Honorable Sarah Netburn  
July 20, 2020  
Page 2

Muhanna is not and has never been an employee of any ministry of the Saudi government. We have contacted Mr. Al Muhanna, however, and he will appear for a deposition in Saudi Arabia.

Respectfully submitted,

*/s/ Michael K. Kellogg*

Michael K. Kellogg  
*Counsel for the Kingdom of Saudi Arabia*

cc: All counsel of record (via ECF)